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May 11, 2023

Via ECF

Hon. Katherine Polk Failla  
United States District Court  
For the Southern District of New York  
40 Foley Square  
New York, NY 10007

**MEMO ENDORSED**

***Re: David Martinez v. La Maria Pizzeria Corp., et al., No. 1:22-cv-04578***

Dear Judge Failla:

This firm represents defendants 1455 Nepperhan Rest Corp. d/b/a Bella Rosa Pizzeria, Albert Tranquillo, and Laurie Tranquillo (the “Bella Rosa Defendants”) in the above-referenced action. We write, with the consent of counsel for Plaintiff, to respectfully request an adjournment of the deadline to submit a settlement agreement for the Court’s approval from May 11, 2023 through and including Monday, May 22, 2023.

The parties have nearly reached a final settlement agreement, but one of our clients is ill, and this illness has impeded communications necessary to finalize the settlement agreement. Accordingly, the parties respectfully request an extension of time to finalize and file the settlement. This is the third request for such an extension, and the Court has previously granted both prior requests, which were on consent.

We thank the Court for its time and attention to this matter.

Respectfully submitted,

/s/ Benjamin M. Rattner

Benjamin M. Rattner

cc: Eliseo Cabrera, Esq.

Application GRANTED.

The Clerk of Court is directed to terminate the pending motion at docket number 42.

Dated: May 11, 2023  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla". The signature is written in a cursive, flowing style.

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE